
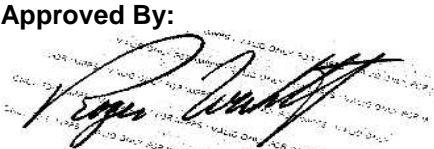



# KANSAS DEPARTMENT OF CORRECTIONS

	<b>INTERNAL MANAGEMENT POLICY AND PROCEDURE</b>	<b>SECTION NUMBER</b>  <b>11-116</b>	<b>PAGE NUMBER</b>  <b>1 of 10</b>
		<b>SUBJECT:</b>  <b>DECISION MAKING: Administration of the Sex Predator Commitment Act</b>	
<b>Approved By:</b>  <b>Secretary of Corrections</b>		<b>Original Date Issued:</b> <span style="float: right;"><b>05-21-01</b></span>	
		<b>Current Amendment Effective:</b> <span style="float: right;"><b>09-19-08</b></span>	
		<b>Replaces Amendment Issued:</b> <span style="float: right;"><b>04-21-06</b></span>	
<b>Reissued By:</b>  <b>Policy &amp; Procedure Coordinator</b>		The substantive content of this IMPP has been reissued as per the appropriate provisions of IMPP 01-101. The only modifications within the reissue of this document concern technical revisions of a non substantive nature.  <b>Date Reissued:</b> <span style="float: right;"><b>09-30-10</b></span>	

## POLICY

Sexually motivated predators shall be identified, classified, housed, treated, and released in a manner consistent with an appropriate discharge of the duties devolving upon the Department through the statutory requirements incumbent within K.S.A. 59-29a01 et seq.

To properly discharge the duties devolving upon the Department as a result of the passage of sexually violent predator treatment legislation, the Department has instituted the following procedures to ensure that the special needs of sexually violent predators and the threats they present to society are adequately addressed.

## DEFINITIONS

Anticipated Date of Release: Anticipated release from total confinement for an offender that has been convicted of a sexually violent offense.

Condition Violator: Any offender released on post-incarceration supervision who has violated conditions of release without being convicted of a new offense and who is being returned to a KDOC facility for violation of the conditions of the release.

Multidisciplinary Team (MDT): Individuals selected by the Secretary of Corrections from a variety of state and private sources for the express purpose of assessing whether or not a person meets the definition of a sexually violent predator.

Notification of Anticipated Release: Written notice to the Attorney General and the Multidisciplinary Team made 90 days prior to an inmate's anticipated date of release or as soon as practical as a result of revocation of post-release supervision.

OMIS: Offender Management Information System.

Sex Predator Commitment Act Administrator (Administrator): Individual designated by the Secretary of Corrections as chairperson of the Multidisciplinary Team and is responsible for carrying the Department's functions relating to the Act.

Sexually Motivated Indicator (SMI): One of a series of yes or no response items that are coupled with descriptors of the items to allow RDU Evaluation or Unit Team staff to determine whether or not the adult defendant committed the crime(s) for the express purpose of sexual gratification.

Sexually Motivated Offenses: Offenses where one or more of the offender's purposes in committing the crime was for the offender's sexual gratification.

Sexually Violent Predator (SVP): An offender who has been convicted of a sexually violent offense and who suffers from a mental abnormality or personality disorder which makes the offender likely to engage in repeat acts of sexual violence.

## **PROCEDURES**

### **I. Assigning the SMI (Sexually Motivated Indicator) as Defined in K.S.A. 59-29a02(d)(e)(1)-(13)**

- A. Offenders upon admission to the KDOC Reception and Diagnostic Unit (RDU) shall be assigned an SMI.
  - 1. A computer SMI identification program shall be executed daily to determine the SMI of new admissions based on the offender's existing sentence record. Attachment A provides a list of those offenses.
    - a. An offender serving sentence(s) for sex offenses as identified in K.S.A. 59-29a02(e)(1)-(10) or any other sexual offense that is comparable shall be coded with a SMI of "Y" (yes) and an SMI Reason "C" (current).
    - b. An offender serving a misdemeanor sexually motivated offense in conjunction with another felony (Journal Entry Case Number is same for both misdemeanor and felony) shall be recorded as a "Y" "C".
    - c. An offender with inactive sentences for sex offenses as identified in K.S.A. 59-29a02(e)(1)-(10) shall be coded with a SMI of "Y" (yes) and an SMI Reason 'H' (history).
    - d. An offender serving sentence(s) for offenses identified in Attachment A as 'Possible Sexually Motivated' shall be coded with a SMI of "Y" (yes) and a SMI Reason "blank".
  - 2. KDOC Reception and Diagnostic Unit evaluation staff shall interview and perform a record search on each offender during the Sex Offender Evaluation portion of the Classification Evaluation (in addition to the computerized process).
    - a. Offenders identified through a record search with inactive sentences shall be coded as described above. Convictions for any federal or other state conviction for a felony sexual offense shall be included.
    - b. Offenders whose active offense(s) can be interpreted as committed for the purpose of the offender's sexual gratification shall be coded as described above in (1)(A)(1)(a).
    - c. Offenders who have an active felony detainer for a sexually motivated offense regardless of jurisdiction shall be coded as "Y" (yes) and 'D' (detainer).
  - 3. At the 120-day program review, the offender's counselor shall review the SMI to determine if the coding is current.

### **II. Screening the SMI**

- A. Monthly, the Administrator or designee shall screen the Potential for Release During the Next 180 Days—PGM-SPR0001A/B (180-Day Report) to identify anticipated date of release for

offenders with an SMI of "Y" or weekly potential for release during the next 150 days for those with an anticipated date of release for new admissions, condition violator admissions or "paroled/re-paroled on or after" decisions since the monthly report. Inmates with a guidelines release date, conditional release date, or a maximum date shall be automatically included on the list by OMIS. Condition violators or inmates whose release is controlled by the KPB shall have this information entered into OMIS by the Administrator or designee as soon as those dates are known.

1. For an indeterminate sentence, offenders with a "paroled or re-paroled on or after" decision, the anticipated date of release shall be computed at 180 days from the date of the KPB decision. Notification shall be made via e-mail from the KPB Administrator to the Administrator or designee.
  - a. The KPB Administrator shall place a copy of the notice in the Central Office file.
  - b. The Administrator or designee shall place a copy of the email in the offenders SVP packet.
2. For a determinate sentence, offenders who are a Conditional Violator shall have the anticipated date of release computed from the date of the signing of the waiver or from the date of their final revocation hearing before the KPB.
3. For subsequent assessments the Administrator or designee shall review the Violation Report, Closing Summary, possible contact notes, and prior SVP Packet. If it appears that the violation(s) do not reflect behavior that could provide additional information from the previous assessment for the Prosecuting Review Committee, the materials shall be faxed to the Attorney General's staff to make the final decision as to whether the offender should be reviewed again by the MDT.
  - a. If the Attorney General's staff concurs that there is no reason to review the offender again, a letter of confirmation shall be sent by the Administrator or designee to the Attorney General's staff with copies to KDOC Central Records and the housing facility.
    - (1) The Administrator or designee shall enter the decision of the Attorney General and date of the decision into the SVP computer tracking system.
  - b. If the Administrator or designee determines that sufficient information exists to require a re-assessment by the MDT, the Administrator or designee shall enter the anticipated date of release into the SVP computer tracking system, which will schedule them for review.
4. Offenders with an SMI coded "Y, H", "Y,D", and "Y, blank" shall be screened by the Administrator or designee as follows:
  - a. For offenders coded "Y, H", the Administrator, or designee will review the criminal history and current conviction(s). If the offender has been discharged from the sex offense and the remaining criminal history is unrelated to sex offenses, the Attorney General's staff will review the record. If their decision is that the MDT is not to assess the offender, a letter shall be written by the Administrator or designee; and,
    - (1) The SMI shall be coded as "N" (no), and the SMI reason 'R' (record). (Upon each subsequent admission the Violation Report, Closing Summary, and any contact notes shall be reviewed for sexual

offending behavior. If these behaviors are documented, the MDT will assess the offender at the direction of the Attorney General's staff.)

- b. The Administrator or designee shall code the SMI as a 'N' 'R' for the following cases upon review of the offender's history:
    - (1) An offender whose only sexually motivated offense conviction is a misdemeanor conviction.
    - (2) The offender's sexually motivated offense is a felony conviction from another state or federal jurisdiction and the offender is not currently serving the sentence for the other jurisdiction.
  - c. For offenders coded "Y, D", the Administrator, or designee will review the detainer. If it is for a conviction, all relevant information shall be forwarded to the Attorney General's Office. The Attorney General's staff will review the record. If the decision is that the MDT is not to assess the offender, a letter to the Attorney General's staff shall be written by the Administrator or designee documenting the nature of the detainer and the reason(s) for not processing the offender under the act.
  - d. The Administrator or designee shall review all SMI "Y" for sexually motivated offense. When the offender was charged with but not convicted of the sex offense or the offense description appears to be committed for the purpose of the offender's sexual gratification, the record will be reviewed to determine if the County/District Attorney filed a special allegation of sexual motivation. If not, the Attorney General's staff will review the record, and a letter to the Attorney General shall be written by the Administrator or designee documenting that no allegations of sexual motivation were filed.
  - e. For offenders coded "Y, C", the Administrator or designee shall confirm the accuracy of this coding decision.
5. If the offender is a new admission and there is less than 90 days to his/her anticipated date of release, the Attorney General's staff shall be notified and a letter may be written by the Administrator or designee documenting that notification of anticipated release will not be made to the MDT and Attorney General.
- a. In those cases when an MDT assessment is made, the RDU Classification Evaluation shall be used for the CSR. The RDU Classification Evaluation shall be used as determined by the Administrator or designee in any MDT assessment when certain factors relevant to the particular offender would render a full evaluation inappropriate.

### **III. Notification of Scheduled MDT Meetings to Facility and Medical/Mental Health Contractor**

- A. The Administrator or designee shall record the offender's name identified on the Potential Release During the Next 150 Days-PGM-SPR0002A/B (150-Day Report) or 180-Day Report onto a spreadsheet as established by the Administrator or designee for each facility.
- B. The Administrator or designee shall email the spreadsheet to the Classification Administrators or designee(s) and to the medical/mental health staff of each facility.

### **IV. Data Collection for MDT Packets**

- A. The following data shall be collected by the Administrator or designee.
  - 1. Any evaluation conducted by medical/mental health staff for purposes of SVP review.

2. Subsequent evaluations.
  3. Notification of Anticipated Release;
    - a. The NAR shall be generated from the SVP Menu, Option 13 Print Notification of Anticipated Release.
  4. MDT Assessment Form, Attachment B;
  5. Clinical Mental Health Treatment Summary or evaluation;
  6. Sex Offender Treatment Discharge Summary;
  7. Substance Abuse Treatment Summary;
  8. Any Incident Report(s), Disciplinary Record(s), other documentation of inappropriate sexual behavior or pornographic materials; and,
  9. Discharge Plan or Aftercare recommendations.
  10. Journal entry of sexual conviction(s);
  11. Pre-sentence investigation;
  12. Criminal history record; and KBI Rap Sheet for inmates with High Risk Assessment;
  13. Reception and Diagnostic Unit Classification evaluation;
  14. Conditional Violators Closing Summary, Violation Report, or applicable documentation relevant to offending sexual behavior; and,
  15. Community Sex Offender Discharge Summary.
- C. Any record or document relevant to sexual offending behaviors as determined by the Administrator or designee shall be included in the MDT packet.
- D. Upon receipt of the CSR by the Facility Central Records, the Classification Administrator or designee shall review the Diagnostic Impression, Axis I for pedophilia and ensure that appropriate coding on the Custody Classification record, Item 10.21, is complete.

**V. Notification of Anticipated Release to the Attorney General and the Multidisciplinary Team (MDT)**

- A. The Administrator or designee shall give written notice to the Attorney General and MDT 90 days prior to:
1. Anticipated release from total confinement;
  2. Release of a person who has been charged with a sexually violent offense and who has been determined to be incompetent to stand trial pursuant to K.S.A. 22-3305;
  3. Release of a person who has been found not guilty by reason of insanity of a sexually violent offense pursuant to K.S.A. 22-3428; and,
  4. Release of a person who has been found not guilty of a sexually violent offense pursuant to K.S.A. 22-3428, and the jury who returned the verdict of not guilty answers in the affirmative to the special question asked pursuant to K.S.A. 22-3221.

- B. In the case of offenders who are returned to prison for no more than 90 days as a result of revocation of post release supervision, written notice shall be given as soon as practicable following the offender's readmission to prison.
- C. The Administrator shall inform the Attorney General and the MDT of the following:
  - 1. The offender's name, identifying factors, anticipated future residence, and offense history, and
  - 2. Documentation of institutional adjustment and any treatment received.
- D. The provisions of the section are not jurisdictional, and failure to comply with such provisions in no way prevents the Attorney General from proceeding against a person otherwise subject to the Act. The Administrator or designee shall adhere to the timelines established and shall notify the Attorney General's staff if these timelines cannot be met.
- E. No notification of Anticipated Release shall be made for condition violators from the SPTP LSH. Instead these violator shall be returned to the program at LSH upon completing their violation penalty.

#### **VI. Multidisciplinary Team and MDT Assessment**

- A. The Secretary of Corrections shall establish a multidisciplinary team, which may include individuals from other state agencies to review available records of each offender, referred to such team. The Secretary of Corrections shall appoint the Chairperson of the Multidisciplinary Team who functions as the Administrator.
  - 1. The MDT shall have at least one mental health professional and at least one sex offender treatment professional.
  - 2. The MDT shall have at least three members present for each meeting, including the Chairperson. The MDT shall not exceed six members.
- B. The MDT, within 30 days of notification of anticipated release, shall assess whether or not the offender meets the definition of a sexually violent predator.
  - 1. The MDT shall meet at least monthly.
  - 2. The Chairperson shall review the offender packets and record the relevant data on the Assessment Sheet (See Attachment B). At least four days before a scheduled meeting, the initial Assessment Sheet and CSR shall be sent to the MDT members by the Administrator or designee.
  - 3. The MDT shall assign a risk level of low, medium, or high to each of the categories on the assessment (see Attachment B), and then the MDT shall make an overall assessment of low, medium, high or n/a (no mental abnormality or personality disorder) and provide comments on the risk factors.
  - 4. Upon completion of the MDT assessment, the risk level shall be entered by the Administrator or designee in the SVP tracking system, and notification of entries made shall be sent to the Classification Administrators.
    - a. If an offender is assigned a risk level of high and the offender is minimum custody, the offender's custody shall be elevated and the offender housed in a medium setting until such time as the Attorney General has made a decision to pursue commitment as an SVP. If the Attorney General declines to pursue commitment, the offender may be returned to minimum custody.

**VII. Notification to the Attorney General of the MDT Assessment**

- A. The assessment of the MDT shall be made available to the Attorney General and the Prosecutors Review Committee (PRC) appointed by the Attorney General using the following procedure:
1. Upon completion of a MDT meeting, the assessment materials and a cover letter will be sent to the Attorney General for each offender reviewed. The letter shall include, but not be limited to, the following:
    - a. Date of anticipated release;
    - b. Date notification of release was made to the Attorney General and MDT;
    - c. Date of the MDT assessment;
    - d. The packet shall be imaged, and the Administrator or designee shall notify via e-mail the classification administrator, IPO's and Re-entry Program Specialist that the packets have been imaged.
    - e. Pornography or other possible prosecuting evidence shall not be imaged or stored by KDOC staff, and not be included in the IPO copy. Pornography or other possible prosecuting evidence shall be sent only to the Attorney General's staff for their consideration.
  2. Upon notification from the Attorney General's staff as to whether a petition will be filed or not, the Administrator or designee shall update the SVP tracking system with that decision.
    - a. Notification via e-mail shall be sent to the Classification Administrators, Kansas Parole Board Administrator, IPOs, and Victim Notification Coordinators.
    - b. If the Attorney General's decision is to file, the Administrator or designee shall issue a Detainer Notification as provided in IMPP 05-108 "Detainer Processing", and make the necessary data entries on OMIS.
    - c. If the Attorney General's decision is not to file, the Classification Administrator or designee of the facility housing the offender shall review the offenders' custody and, for those elevated because of the high-risk assessment, determine if the custody should be returned to minimum.
    - d. Upon notification by the Administrator, the Kansas Parole Board Administrator shall review the offenders with a "parole on or after" decision report. The KPB Administrator shall notify the KPB of the Attorney General's decision in order for the KPB to take whatever action they deem appropriate.

**VIII. Probable Cause Finding and Larned State Security Program Evaluation**

- A. The Attorney General's staff shall notify the Administrator or designee of the findings that probable cause exists to believe that the offender is a sexually violent predator. The Administrator or designee shall update the tracking system whenever such information is received. Upon each update, the Classification Administrator, and KPB Administrator, shall be notified that tracking system has been updated.

1. The Administrator or designee shall notify the IPO and the Parole Supervisor in the county of SVP prosecution by email of the probable cause finding and LSSP evaluation.
- B. If the offender is referred to LSSP for evaluation, LSSP staff shall notify the Director of Sex Offender Treatment for the SOTP Treatment file.
  1. The LCMHF Classification staff may request the offender's KDOC files.
  2. The LSSP staff may request photocopies of any of the documents.
- C. If probable cause is not found or the LSSP evaluation determined that the offender was not predatory, the Classification Administrator or designee of the facility housing the offender shall review the offender's custody and, for those elevated because of the high-risk assessment, determine if the custody should be returned to minimum.

**IX. Offenders Admitted to the SPTP (Sexual Predator Treatment Program) at LSSH**

- A. If the court or jury determines that the offender is a sexually violent predator, the offender shall be committed to the custody of the Secretary of Social and Rehabilitation Services for control, care, and treatment until such time as the person's mental abnormality or personality disorder has so changed that the person is safe to be at large.
  1. The administrator or designee shall notify, by e-mail, the IPO and the Parole Supervisor in the county of SVP prosecution of the decision to commit.
  2. The SPTP designee will notify the LCMHF Classification staff of a new admission to the program.
    - a. The LCMHF staff shall update the SVP Tracking System with the SRS offender number and admission date to the program or any subsequent release from the program.
    - b. Updated copies of the Sex Predator Log shall be provided to the SPTP staff and the Parole Officer assigned to the SPTP caseload.
    - c. The LCMHF Classification staff shall request all of the KDOC offender's files, including Mental Health and program files (especially SATP) from the facility where the offender was last housed, or the repository. LCMHF staff shall designate a location for the file review.
    - d. The SPTP staff may review the entire file, and may obtain copies of requested documents.
  3. Offenders committed to the SVP Program while still on post-release supervision who violate conditions of their supervised release shall be placed at LCMHF until such time as the offender waives their KPB violation hearing or a Morrissey Hearing is held. Upon satisfying the penalty imposed, the offender shall be returned to the SPTP. Pawnee County shall be requested to file a detainer.

**X. Summary reports for Attorney General, KDOC, and SRS**

- A. The following reports are generated quarterly by the Administrator or designee:
  1. Activity Summary.
  2. AG Prosecuting Tracking List, and



3. LSSH Sexual Predator Log.

- B. These reports are mailed by the Administrator or designee to the Deputy Secretary of Disability and Behavioral Health Services, SRS, Attorney General, Deputy Secretary of Facility Management, Deputy Secretary of Programs, and the Multidisciplinary Team.

**XI. Daily Exception Tracking Reports Provided to the Administrator or Designee**

- A. The Administrator or designee shall review the records and determine the appropriate current SMI and update the SVP master file when changes are made to sentence records.
- B. The Administrator or designee shall review the report of the offenders confined whose mandatory release date does not match the date reported on SVP master file. These changes occur with non-awards and forfeitures of good time, and 90-day calculation of a condition violator release date.
1. If the offender is in the SVP process and a final decision has not been made to discontinue the offender in the process, the SVP master file shall be updated.
  2. If the offender is at the PRC phase, and a decision whether to file or not has not been made or the decision is to file, the Attorney General's staff shall be notified of the adjusted release date.
- C. The Administrator or designee shall review the report of offenders whose current location is different than the location on the SVP master facility.
1. The Administrator or designee shall notify the Attorney General's staff of the facility change and shall update the SVP tracking process when the following situation occurs.
    - a. If the offender is in the SVP process and a final decision has not been made to discontinue the offender in the process.
    - b. If the offender is in the PRC phase, and a decision whether to file or not has not been made or the decision is to file.
- D. Conditional Violators whose SMI is blank, NR, Y, YC, YH, YD and have waived their KPB violation hearing.
1. The Administrator or designee shall review the offenders and assign the SMI for Blank and Y.
  2. The Administrator or designee shall review the Violation Report, Closing Summary, possible Chronos and prior SVP Packet. If it appears that the condition violation(s) do not reflect behavior that could provide additional information from the previous assessment for the Prosecuting Review Committee, the materials shall be faxed to the Attorney General's staff to make the final decision.
  3. If the Attorney General's staff concurs with the above, a letter of confirmation shall be sent by the Administrator or designee to the Attorney General's staff with copies to KDOC Central Records and the housing facility.
  4. The Administrator or designee shall enter the decision and date of the decision to document the SVP computer tracking system.
  5. If the offender is to be assessed by the MDT, the Administrator or designee shall enter the anticipated date of release into the SVP computer tracking system.

- E. The Administrator or designee shall review the SVP Parole Decision Tracking Report to identify offenders who have a release decision where the SVP computer tracking system has not been updated. The Administrator or designee shall review the record and update the SVP computer tracking system as it relates to conditional violators and “parole or re-parole on or after” decisions made by the KPB.

**NOTE:** The policy and procedures set forth herein are intended to establish directives and guidelines for staff and offenders and those entities who are contractually bound to adhere to them. They are not intended to establish State created liberty interests for employees or offenders, or an independent duty owed by the Department of Corrections to either employees, offenders, or third parties. Similarly, those references to the standards of various accrediting entities as may be contained within this document are included solely to manifest the commonality of purpose and direction as shared by the content of the document and the content of the referenced standards. Any such references within this document neither imply accredited status by a Departmental facility or organizational unit, nor indicate compliance with the standards so cited. The policy and procedures contained within this document are considered to be compliant with all applicable Federal statutes and/or regulatory requirements. This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

#### **REPORTS REQUIRED**

None.

#### **REFERENCES**

K.S.A. 59-29a01 et seq.

#### **ATTACHMENTS**

Attachment A – Sexually Motivated Offenses Table, 2 pages  
Attachment B – Multidisciplinary Team Assessment, 2 pages  
Attachment C – Notification of Anticipated Release, 1 page

## SEXUALLY MOTIVATED OFFENSES TABLE

STATUTE#	OFFENSE	*POSSIBLY SEXUALLY MOTIVATED
21-3401	MURDER IN THE FIRST DEGREE	*
21-3402	MURDER IN THE SECOND DEGREE	*
21-3403	VOLUNTARY MANSLAUGHTER	*
21-3414	AGGRAVATED BATTERY	*
21-3420	KIDNAPPING	*
21-3421	AGGRAVATED KIDNAPPING	*
21-3438	ATTEMPTED STALKING	*
21-3438 A	STALKING IN ALL OTHER CASES	*
21-3438 B	STALKING WHEN VICTIM HAS A TEMPORARY RESTRAINING ORDER OR INJUNCTION AGAINST THE OFFENDER	*
21-3438 C	STALKING WHEN OFFENDER HAS A PREVIOUS CONVICTION WITHIN 7 YEARS FOR SAME VICTIM	*
21-3439 A4	INTENTIONAL AND PREMEDITATED KILLING-VICTIM OF RAPE, CRIM SODOMY OR AGG CRIM SODOMY	
21-3439 A7	INT AND PREMED KILLING-CHILD<14 IN COMMISSION OF KIDNAPPING, AGG KIDNAPPING, SEX INTENT	
21-3502	RAPE	
21-3502 A1	RAPE; SEXUAL INTERCOURSE WITH A PERSON WHO DOES NOT CONSENT; OVERCOME BY FORCE, FEAR, ETC.	
21-3502 A2	RAPE; SEXUAL INTERCOURSE WITH A CHILD<14 YOA	
21-3503	INDECENT LIBERTIES WITH A CHILD	
21-3503 A1	INDECENT LIBERTIES W/CHILD; GE 14 YOA, BUT <16 YOA; LEWD FONDLING OR TOUCHING	
21-3503 A2	INDECENT LIBERTIES W/CHILD; GE 14 YOA, BUT <16 YOA; SOLICIT TO ENGAGE IN LEWD FONDLING, ETC.	
21-3504	AGGRAVATED INDECENT LIBERTIES WITH A CHILD	
21-3504	INDECENT LIBERTIES WITH A WARD	
21-3504 A1	AGGRAVATED INDECENT LIBERTIES W/CHILD; GE 14 YOA; BUT <16 YOA; SEXUAL INTERCOURSE	
21-3504 A2	AGGRAVATED INDECENT LIBERTIES W/CHILD; GE 14 YOA; BUT <16 YOA; LEWD FONDLING OR TOUCHING	
21-3504 A3	AGGRAVATED INDECENT LIBERTIES W/CHILD; <14 YOA; LEWD FONDLING OR TOUCHING	
21-3505 A1	CRIMINAL SODOMY; SODOMY BETWEEN PERSONS GE 16 YOA OF SAME SEX; OR WITH AN ANIMAL	
21-3505 A2	CRIMINAL SODOMY; SODOMY WITH A CHILD GE 14 YOA, BUT <16 YOA	
21-3505 A3	CRIMINAL SODOMY; CAUSING CHILD GE 14 YOA, BUT < 16 ENGAGE IN SODOMY W/PERSON OR ANIMAL	
21-3506	AGGRAVATED SODOMY	
21-3506 A1	AGGRAVATED CRIMINAL SODOMY; SODOMY WITH A CHILD <14 YOA	
21-3506 A2	AGGRAVATED CRIMINAL SODOMY; CAUSING A CHILD <14 YOA ENGAGE IN SODOMY W/PERSON OR ANIMAL	
21-3506 A3	AGGRAVATED CRIMINAL SODOMY; SODOMY W/PERSON WHO DOES NOT CONSENT; OVERCOME BY FORCE, ETC.	
21-3507	ADULTERY	*
21-3508	LEWD AND LASCIVIOUS BEHAVIOR	*
21-3509	ENTICEMENT OF A CHILD	*
21-3510 A1	INDECENT SOLICITATION OF A CHILD GE 14 YOA AND <16 YOA TO COMMIT OR SUBMIT TO UNLAWFUL SEXUAL ACT	
21-3510 A2	INDECENT SOLICITATION OF A CHILD GE 14 YOA AND <16 YOA, INVITING, ETC. TO ENTER SECLUDED PLACE	
21-3511	AGGRAVATED INDECENT SOLICITATION OF A CHILD	
21-3511 A	AGGRAVATED INDECENT SOLICITATION OF CHILD; <14 YOA TO COMMIT OR SUBMIT TO UNLAWFUL SEXUAL ACT	
21-3511 B	AGGRAVATED INDECENT SOLICITATION OF CHILD; <14 YOA, INVITING, ETC. TO ENTER SECLUDED PLACE	
21-3512	PROSTITUTION	*
21-3513	PROMOTING PROSTITUTION	*
21-3513 B1	PROSTITUTION; PROMOTING PROSTITUTION WHEN PROSTITUTE IS GE 16 YOA	*

## SEXUALLY MOTIVATED OFFENSES TABLE

STATUTE#	OFFENSE	*POSSIBLY SEXUALLY MOTIVATED
21-3513 B2	PROSTITUTION; PROMOTING PROSTITUTION WHEN PROSTITUTE IS GE 16 YOA; 2 <sup>ND</sup> /SUB CONVICTION	*
21-3513 B3	PROSTITUTION; PROMOTING PROSTITUTION WHEN PROSTITUTE IS <16 YOA	*
21-3514	HABITUAL PROMOTING PROSTITUTION	
21-3515	PROSTITUTION – PATRONIZING	*
21-3516	SEXUAL EXPLOITATION OF A CHILD	
21-3516 A1	SEXUAL EXPLOITATION OF CHILD; EMPLOY CHILD <16 YOA TO ENGAGE IN SEXUALLY EXPLICIT CONDUCT	
21-3516 A2	SEXUAL EXPLOITATION OF CHILD; POSS VISUAL MED OF CHILD <16 YOA ENGAGING I N SUCH CONDUCT	
21-3516 A3	SEXUAL EXPLOITATION OF CHILD; GUARDIAN PERMITTING CHILD <16 YOA TO ENGAGE IN SUCH CONDUCT	
21-3516 A4	SEXUAL EXPLOITATION OF CHILD; PROMOTE PERFORMANCE CHILD <16 YOA TO ENGAGE IN SUCH CONDUCT	
21-3517	SEXUAL BATTERY; INTENTIONAL TOUCHING OF ANOTHER, WITHOUT CONSENT, WHO IS GE 16 YOA	
21-3517	CONSPIRACY TO SEXUAL BATTERY	
21-3518	AGGRAVATED SEXUAL BATTERY; INTENTIONAL TOUCHING WITHOUT CONSENT, GE 16 YOA; FORCE, FEAR	
21-3519	PROMOTING SEXUAL PERFORMANCE/MINOR	
21-3520	UNLAWFUL SEXUAL RELATIONS BETWEEN DOC PERSONNEL AND INMATE	
21-3522	VOLUNTARY SEXUAL INTERCOURSE W/CHILD 14 <16 BY OFFENDER < 19	
21-3601	BIGAMY	*
21-3602	INCEST	
21-3603	AGGRAVATED INCEST	
21-3603 A1	AGGRAVATED INCEST; MARRAIGE TO PERSON <18 YOA WHO IS A KNOWN RELATIVE	
21-3603 A2A	AGGRAVATED INCEST; OTHERWISE LAWFUL INTERCOURSE OR SODOMY W/RELATIVE GE 16 YOA, <18 YOA	
21-3603 A2B	AGGRAVATED INCEST; LEWD FONDLING AND TOUCHING W/RELATIVE GE 16 YOA, BUT <18 YOA	
21-3610b	FURNISHING ALCOHOLIC BEVERAGES TO A MINOR FOR ILLICIT PURPOSES.	
21-3715 A	BURGLARY; BUILDING USED AS A DWELLING	*
21-3716	AGGRAVATED BURGLARY	*
21-4301	PROMOTING OBSCENITY; 2 <sup>ND</sup> OR SUBSEQUENT OFFENSE	*
21-4301 A	PROMOTING OBSCENITY TO MINORS; 2 <sup>ND</sup> OR SUBSEQUENT OFFENSE	*
21-4301 A1	PROMOTING OBSCENITY TO MINORS; 3 <sup>RD</sup> OFFENSE IN 2 YRS	*
21-4301 A2	PROMOTING OGSCENITY TO MINORS; 2 <sup>ND</sup> OFFENSE IN 2 YRS	*
21-4301 C	PROMOTING OBSCENITY TO MINORS; THAT IS HARMFUL TO MINORS	*
23-102	MARRIAGE, INCESTUIOUS MARRIAGES; PENALTY	*
23-103	CONFESSION TO INCESTUOUS MARRIAGE	*

### Multidisciplinary Team Assessment

Name _____ KDOC/SRS # _____ Date of Release _____		
County of Conviction/Commitment _ Facility Where Confined _____ MDT Date of Assessment _____		
Risk Factors	MDT Assessment of Predatory risk [Low, Med, High]	Advisory Committee Assessment of Predatory Risk
<b>CRIMINAL HISTORY</b>		
<b>A. CONVICTION HISTORY</b> _____ Number of TOTAL convictions for sexually violent offenses. _____ Number of TOTAL felony convictions other than sexually violent offenses. _____ Number of months following release from prior felony confinement to commission of current sexually violent offense. _____ Number of misdemeanor convictions relating to sexual misconduct.		
<b>B. NON CONVICTION HISTORY</b> _____ Number of prior arrests for sexually violent offense where no disposition is noted. _____ Number of incidents where sexual misconduct otherwise documented in the inmate master file.		
<b>C. CONDUCT INVOLVED IN OFFENSES [For all conviction and non conviction incidents, note where any of the following conduct was involved.]</b> _____ Use of weapons. _____ Serious bodily harm inflicted. _____ Offense involved torture or was committed in a manner which was unusually cruel or humiliating. _____ Victim(s) were children or other highly vulnerable persons.		
<b>CLINICAL INFORMATION</b>		
<b>[Indicate any of the following which are noted in the RDU report, a clinical services report, or any mental health report in file which was prepared by KDOC.]</b> _____ Presence of multiple paraphilias. _____ Diagnosis of personality disorder or mental abnormality; or high score on psychopathy scale. _____ Extremely dangerous, or high potential to re-offend. _____ Shows minimal remorse, or victim empathy. _____ Not amenable to, refused, or failed treatment. _____ On psychotropic medication. _____ History of possession of material depicting sadism/violence. _____ History of possession of written materials regarding persons similar to a past victim.		
<b>INSTITUTIONAL ADJUSTMENT</b>		
_____ Disciplinary reports for sexual misconduct. _____ Disciplinary reports for chemical usage. _____ Possession of material depicting sadism/violence. _____ Possession of written materials regarding persons similar to a past victim. _____ Verbally threatens another upon release. _____ Disciplinary reports for high-risk offense. _____ History of predatory/assaultive behavior while incarcerated.		
<b>OTHER RISK FACTORS NOT INDICATED ABOVE [Specify]</b>		
Behavior: <u>predatory or opportunistic</u> _____ _____ _____		
<b>COMMITTEE ASSESSMENT OF PREDATORY RISK</b>		
Comments regarding risk: _____ _____ _____ _____		

\_\_\_\_\_  
Signature of Committee Member

\_\_\_\_\_  
Signature of Committee Member

\_\_\_\_\_  
Signature of Committee Member

\_\_\_\_\_  
Signature of Committee Member

\_\_\_\_\_  
Signature of Committee Member

\_\_\_\_\_  
Signature of Committee Member

## Narrative Explanation of Risk Factor

CRIMINAL HISTORY
CLINICAL INFORMATION
INSTITUTIONAL ADJUSTMENT
OTHER RISK FACTORS

NOTIFICATION OF ANTICIPATED RELEASE  
(K.S.A. 59-29a03)

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Committed Name:	IDENTIFYING INFORMATION	IDENTIFYING NUMBERS
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_____	Date of Birth:_____	SS No._____
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Inmate Number:_____	Ht:_____ Wgt:_____	KBI No.:_____
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_____	Hair:_____ Eyes:_____	FBI No.:_____
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Aliases:_____	Scars, Marks, Tattoos:_____
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Anticipated Date of Release:_____	Current Facility:_____
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Type of Release:_____
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**FELONY OFFENSE HISTORY**

Offense:_____	Case Number:_____	Date of Sentencing:_____
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County:_____
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Anticipated Residence:_____
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Staff Rating of Adjustment:_____
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**DISCIPLINARY HISTORY (Past Year)**

DR#:_____
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Date:_____
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Offense:_____
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**PROGRAM STATUS**

**Programs Required**

**Completion Status**

_____	_____
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_____	_____
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Signature of Official Releasing Information and Title
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Date
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